(4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION [S] NO. 3403/2006

PETITIONER :- Pratap Kumar Satyarthi son of Shri Bhaiya Lal Satyarthi, Aged 27 years, R/o village Seepat, Tahsil- Seepat, District Bilaspur [C.G.].

VERSUS

RESPONDENTS :-

1] State of Chhattisgarh, Through – Collector, Bilaspur [C.G.]

2] The Chief Executive Officer, Janpad Panchayat –Bilha, District Bilaspur [C.G.].

3] The Chief Executive Officer, Jila Panchayat, Bilaspur [C.G.].

P.R. No. 3476/06
Presented by Shri Madhu Singh
dated 18/12/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(29)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3403/ **सन्** 2006

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12-7-2006

Miss Nirupama Bajpai & Mr. Vimlesh Bajpai, Advocates for the petitioner.

Mr. Sumesh Bajaj, Govt. Advocate for the State/respondent No.1, on advance copy.

Heard.

The main grievance of the petitioner raised in this writ petition is that he is a visually handicapped person i.e. 100% blind, he was after due selection appointed as Shiksha Karmi Grade-III and thereafter, he has been appointed in Progressive Primary School, Dahiapara, Manjur Pahri, where there are no transport facilities and the school is situated in the forest area. As per the scheme of the Government Annexure P-1, respondent authorities ought to have identified school for disabled persons through draw of lot, which are on the road side and easily accessible.

Learned counsel for the petitioner submits that no such exercise has been undertaken by the respondents. The petitioner made a representation to respondent No.2 that there are already four schools on the roadside where the petitioner can be accommodated, as in the present school, the petitioner is required to undertake journey of 12 kms. from his residence at Seepat, but the representation has not been considered. Learned counsel further submitted that even the respondents have not complied with the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short the Act, 1995'), wherein under Sections 44 & 45, special provisions have been made regarding disabled persons.

(पीछे देखिये)

XI-HC-22

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3403/ सन् 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner requested that in the circumstances, respondent No.2 to whom representation has already been made by the petitioner be directed to decide the representation of the petitioner considering his case in accordance with the Act, 1995 and circular dated 23-8-2004 issued by the State Government.

The prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, respondent No.2 is directed to decide the representation made by the petitioner considering the provisions of the Act, 1995 as also the circular of the Government dated 23-8-2004 (Annexure P-1) and pass order within a period of 30 days from the date of receipt of a copy of this order, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma

(पीछे देखिये)

10/7/09